

Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
September 25, 2012, 7:00 p.m.

Present: Mayor: Joe L. Johnson  
Council Members: Richard Higginson, Beth Holbrook, John Marc Knight,  
Fred Moss, and Thomas Tolman  
City Manager/Attorney: Russell Mahan  
City Engineer: Paul Rowland  
Admin. Services Director: Galen Rasmussen  
Planning/RDA Director: Aric Jensen  
Department Heads: Allen Johnson, Power  
Tom Ross, Police  
Mark Slagowski, Water/Sewer  
Alan West, Information Technology  
Jerry Wilson, Parks  
Recording Secretary: Nancy Lawrence

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Standard Examiner, and on the Utah Public Notice Website.

Mayor Johnson called the meeting to order at 7:00 p.m. and welcomed those in attendance. Councilman Higginson led the pledge of allegiance to the flag and Mr. Rowland offered a prayer.

**APPROVAL OF MINUTES**

Minutes of the regular City Council meeting held September 11, 2012 were presented and approved as corrected on a motion made by Councilman Knight and seconded by Councilman Higginson. Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted "aye".

**COUNCIL REPORTS**

Councilwoman Holbrook reviewed that the Community Service Council will assist with a County-wide Emergency Preparedness Fair on October 13 from 10 a.m. to 2 p.m. at Woods Cross High School. The Bar J Wrangler concert will be held at Woods Cross High School on Saturday, December 1, 2012.

**YOUTH COUNCIL REPORT**

Councilman Knight reported that the Youth Council successfully completed an anti-graffiti campaign which included five separate locations. They will be assisting with the Emergency Preparedness Fair and will host the Pumpkin Patch activity in October, and they will assist with the Bar J Wrangler concert.

**WEEKLY EXPENDITURES APPROVED  
FOR PERIOD SEPTEMBER 4-10, 2012**

Mayor Johnson presented the Expenditure and Expense Report for the Period September 4-10, 2012 in the amount of \$184,513.03. Discussion focused on the appropriation of legal and auditing fees, following which Councilman Tolman made a motion to approve the report, as

1 presented. Councilman Higginson seconded the motion and voting was unanimous.  
2 Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.

#### 3 4 **CITIZENS RECOGNIZED FOR SERVICE TO CITY**

5 Mayor Johnson recognized Jane Joy, Richard Watson and Emma Dugal, all who were in  
6 attendance, and thanked them for their service to the City. **Jane Joy, representing the Joy**  
7 **Foundation**, organized and carried out the Sidewalk Chalk Art Festival which takes place around  
8 Summerfest. She reported that this year over 100 artists participated and over 8,000 people came to  
9 view the art, including at least 12 school buses. The Joy Foundation also sponsored an Open  
10 Microphone event at the Black Box Theater, supported by 125 people.

11  
12 **Richard Watson**, former chair of the Bountiful Community Service Council (BCSC) for  
13 three years and current chair of the Concert Series, was acknowledged for the success of the  
14 Concerts in the Park and the tremendous growth of this entertainment venue. **Emma Dugal** was  
15 recognized for her tremendous efforts in chairing the Summerfest and Bountiful/Davis Art Center  
16 (BDAC) exhibits. She said that this year Summerfest hosted groups from eight countries and she  
17 expressed appreciation to the community for hosting these guests. She announced that the Art  
18 Center will have its next to last exhibit beginning this Friday which will feature artists who have  
19 exhibited in the last 15 years. Citizens former-Mayor John Cushing, Dan VanZwedam and Arly  
20 Curtz will be honored on Friday at 6:00 p.m. for their great support of the BDAC. Mrs. Dugal  
21 presented a letter of recognition and thanks to the Mayor for the generous support that the City  
22 departments and staff lend to the Summerfest experience.

23  
24 Rolayne Collins, BCSC, reported on the upcoming Emergency Preparedness Fair and briefly  
25 explained how the five cities will work together to carry out this event. She mentioned some of the  
26 sponsors and thanked those working on the event. Additional information can be found on the City  
27 web site.

#### 28 29 **PAYMENT APPROVED FOR TYLER TECHNOLOGIES** 30 **SOFTWARE MAINTENANCE**

31 Mr. West explained that the City is in the final stages of switching over to the new software  
32 provided by Tyler Technologies and he acknowledged that the change-over has been very smooth.  
33 He reviewed the performance of the previous software provider and stated that their performance  
34 was less than satisfactory. It is the recommendation of staff to approve the Maintenance Agreement  
35 and payment to Tyler Technologies for software maintenance in the amount of \$51,106.05.  
36 Councilman Higginson made a motion to approve payment, as recommended. Councilwoman  
37 Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook,  
38 Knight, Moss and Tolman voted “aye”.

#### 39 40 **PURCHASE OF SECURITY CAMERAS APPROVED**

41 Mr. West reported that due to ongoing vandalism and a concern for citizen safety, a proposal  
42 was requested for installation of a security camera network from Global Surveillance, Inc. Sites  
43 that have experienced vandalism and for which security could be an issue are: 4<sup>th</sup> North Park, North  
44 Canyon Park, Hidden Lake Trailhead, the Golf Course, Cemetery, and Landfill. The video server  
45 which would support the cameras would be located at City Hall. This is an unbudgeted item, but  
46 will be funded by the individual departments utilizing the cameras, and the residents at Hidden Lake

1 will fund that camera. It is the recommendation of staff to approve the proposal from Global  
2 Surveillance in the amount of \$35,181.73. Security of the cameras was discussed, following which  
3 Councilman Moss made a motion to approve the request. Councilwoman Holbrook seconded the  
4 motion which carried unanimously. Councilpersons Higginson, Holbrook, Knight, Moss and  
5 Tolman voted "aye".  
6

7 **INTERLOCAL COOPERATION AGREEMENT RE:**  
8 **COUNCIL OF GOVERNMENTS**

9 Mr. Mahan reviewed that there is a fee of \$10 assessed to motor vehicle registrations for the  
10 purpose of funding the purchase of land to preserve transportation corridors in Davis County. This  
11 fund is administered by the Davis County Council of Governments (COG). It has been brought to  
12 attention that only elected officials can vote to spend taxpayer funds and the COG currently  
13 includes representatives for the Chamber of Commerce and Hill Air Force Base. In response to this  
14 conflict, the Davis County Attorney has prepared an Interlocal Cooperation Agreement to formally  
15 create an entity which consists only of elected officials. Mr. Mahan recommended that the Council  
16 approve this agreement.  
17

18 Councilman Moss called attention to the fact that the fund in discussion has not been used  
19 wisely and he suggested that this fund should be abolished. Discussion followed. Mayor Johnson  
20 called for a motion on the proposed Cooperative Agreement. Councilman Higginson motioned to  
21 approve the Agreement, Councilman Tolman seconded the motion and voting was unanimous.  
22 Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted "aye".  
23

24 **RES. NO. 2012-10 ADOPTED RE: 10-YEAR CAPITAL**  
25 **IMPROVEMENT PLAN – FISCAL YEARS 2013-2022**

26 Mr. Mahan explained that it is *suggested* in State law that a 10-year Capital Improvement  
27 Plan be adopted to serve as a road map of major capital expenditures anticipated by the City. This  
28 plan is non-binding and can be amended, as necessary. He referred to projects currently being  
29 considered (contained in the "Bountiful City Capital Improvement Plan – Fiscal Years 2013-2022")  
30 and noted that the new City Hall and the renovation of the old City Hall are significant changes  
31 since last year. Proposed changes/improvements at the 400 North Park were mentioned and Mr.  
32 Mahan stated that he is working with department heads to prepare a comprehensive ongoing  
33 infrastructure maintenance plan. He recommended that the Council adopt Resolution No. 2012-10,  
34 entitled A RESOLUTION ADOPTING A BOUNTIFUL CITY CAPITAL IMPROVEMENT PLAN FOR FISCAL  
35 YEARS 2013 THROUGH 2022.  
36

37 Jerry Wilson briefly reviewed his vision for park improvements and the Mayor and Mr.  
38 Rowland noted that a comprehensive capital needs assessment will be made. Mr. Rowland also  
39 referred to the need for identifying funding sources. Councilman Higginson made a motion to  
40 approve Res. No. 2012-10, as recommended. Councilwoman Holbrook seconded the motion which  
41 carried by a majority. Councilpersons Higginson, Holbrook, Knight, and Tolman voted "aye".  
42 Councilman Moss voted "nay".  
43

44 **PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED TO**  
45 **LAKEVIEW HOSPITAL – STORAGE BUILDING AND PARKING LOT EXTENSION**

46 Mr. Jensen reviewed the application of Troy Wood (project manager) for Lakeview Hospital

1 requesting preliminary and final site plan approval for a storage building and an expanded parking  
2 lot at Lakeview Hospital. He said that this request has been reviewed by the staff and Planning  
3 Commission and comes to the Council with a positive recommendation, subject to the following  
4 conditions:

- 5 1. Make any and all redline corrections prior to building permit submittal.
- 6 2. The building exterior shall be of split-faced and smooth CMU which is painted and/or  
7 colored to match the existing hospital buildings.

8  
9 Mr. Jensen fielded several questions regarding this project, following which Councilman  
10 Higginson made a motion to grant approval as recommended. Councilwoman Holbrook seconded  
11 the motion which carried unanimously. Councilpersons Higginson, Holbrook, Knight, Moss, and  
12 Tolman voted “aye”.

13  
14 **PRELIMINARY SUBDIVISION PLAT APPROVAL GRANTED**  
15 **FOR STONE CREEK VILLAS – 600 NORTH 400 EAST**

16 Mr. Rowland presented the request of the Villas at Stone Creek (~600 North 400 East) for  
17 Preliminary Subdivision plat approval. He noted that the Council reviewed this proposal in  
18 substance several months ago at the time of the zone change and it has since been reviewed by the  
19 Planning Commission. It comes to the Council with a positive recommendation from staff and the  
20 Planning Commission, subject to the following conditions:

- 21 1. The extension of 550 North through the corner of the LDS Church property is  
22 completed fully at the expense of the developer, as set forth in Ordinance 2012-06  
23 and the existing development agreement between the City and the Developer.
- 24 2. Any approval is conditioned upon the final floodplain map designation set forth by  
25 FEMA.
- 26 3. Any and all redline corrections are made.
- 27 4. Any and all fees and bonds are paid.
- 28 5. The final plat mylar is prepared and recorded within the required time frame.
- 29 6. Davis County grants final approval for the proposed creek crossings.

30  
31 Mr. Rowland explained that the details of the flood plain are currently being revised and noted that  
32 after they have been finalized, new property owners can request a map amendment. He also  
33 reviewed how the new storm water ordinance will impact this subdivision. Councilman Tolman  
34 made a motion to grant preliminary subdivision plat approval for Stone Creek Villas, as  
35 recommended. Councilman Higginson seconded the motion and voting was unanimous.  
36 Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.

37  
38 **SHARON SPATLEY APPOINTED TO FILL UNEXPIRED**  
39 **TERM ON PLANNING COMMISSION**

40 Mayor Johnson explained that Dave Patton, Planning Commissioner, has moved out of the  
41 City and it is necessary to fill this vacancy. He has received a recommendation that Sharon Spratley  
42 be appointed to the Bountiful Planning Commission. Ms. Spratley was president of the Salt Lake  
43 Board of Realtors in 2010 and comes highly recommended. Councilman Higginson made a motion  
44 to approve the recommendation of the Mayor and that Sharon Spratley be appointed to serve out the  
45 remaining three years of this term. Councilwoman Holbrook seconded the motion and voting was  
46 unanimous. Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.

**ORD. NO. 2012-12 AMENDING TITLE 14 AND TITLE 6 OF  
THE BOUNTIFUL CITY CODE, ADOPTED**

As requested by the Council, Mr. Jensen reviewed the Summary Staff Report of the amendments to Title 14 and Title 6 of the Bountiful City Code. There were a total of 26 changes to Title 14 (Land Use) and five changes to Title 6 (Public Works and Property). All changes had previously been reviewed in past meetings open to public comment. Mr. Jensen responded to questions from the Council, after which Councilwoman Holbrook made a motion to approve Ordinance No. 2012-12 entitled AN ORDINANCE AMENDING CHAPTER 2, CHAPTER 3, CHAPTER 4, CHAPTER 5, CHAPTER 7, CHAPTER 10, CHAPTER 19, AND CHAPTER 20 OF TITLE 14, THE *BOUNTIFUL CITY LAND USE ORDINANCE*, AND AMENDING CHAPTER 2 OF TITLE 6, *PUBLIC WORKS AND PROPERTY*. Councilman Knight seconded the motion which carried unanimously. Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.

A short discussion followed initiated by Councilman Moss’s concern about limiting development opportunities for properties located on slopes.

**STAFF AND COUNCIL CALENDARING ITEMS**

Mr. Mahan noted that the Council had expressed interest in touring the newly remodeled Power Plant facilities and a tour was set up for 5 p.m. prior to the next City Council meeting.

**CLOSED SESSION APPROVED**

At 8:43 p.m. Councilman Higginson made a motion to adjourn the open meeting to a closed session for the purpose of discussing the character and professional competence of an individual(s). Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.

**Attendance at Closed Session**

Mayor Johnson

Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman

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JOE L. JOHNSON, Mayor

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KIM J. COLEMAN, City Recorder

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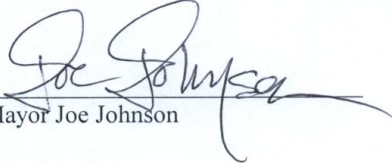
See page 6 for Affidavit of Closed Meeting

**Affidavit of the Closed Meeting of the  
Bountiful City Council  
Tuesday, September 25, 2012**

A closed meeting of the Bountiful City Council was held on Tuesday, September 25, 2012, following the open City Council meeting, in the Planning Commission room at City Hall in Bountiful, Utah. The meeting was attended by Mayor Joe Johnson and Council members John Marc Knight, Beth Holbrook, Tom Tolman, Richard Higginson and Fred Moss.

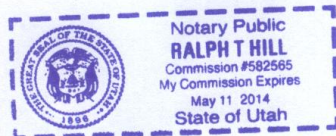
The sole purpose for the closed meeting was to discuss the character and professional competence of individuals, as described under Subsection 52-4-205(1)(a) of the Utah Code.

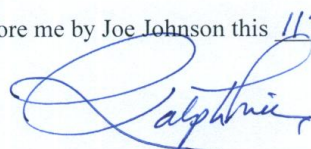
Dated this 11<sup>th</sup> day of October, 2012.

  
Mayor Joe Johnson

State of Utah            )  
                                 :  
County of Davis        )

The foregoing Affidavit was signed before me by Joe Johnson this 11<sup>th</sup> day of October, 2012.



  
Notary Public